UNITED STATES
PATENT AND
★ ★ ★ ★ TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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DEC - 4 2002

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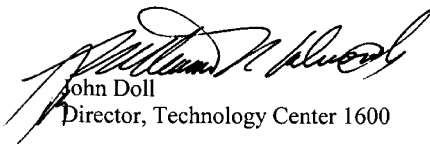| In re Application of	:	
John A. Budny et al	:	
Serial No.: 09/875,997	: WITHDRAWAL OF ABANDONMENT	
Filed: June 6, 2001	:	
Attorney Docket No.: 1008-119	:	

This is in response to the petition under 37 CFR 1.181, filed August 26, 2002, requesting withdrawal of the holding of abandonment of the above identified application.

A review of the file history shows that the Office mailed a first Office action to applicants on January 11, 2002, setting a three month shortened statutory period for reply. Applicants replied on May 10, 2002 (Certificate of Mailing date) and the reply was received by the Office as evidenced by an Office date stamped return postcard. The reply, consisting of a request for a one month extension of time and fee therefor and a terminal disclaimer, has been located in the file. The examiner mailed a Notice of Abandonment to applicants on August 14, 2001, indicating no reply had been received. It is noted that the reply is not accompanied by any argument by applicants, however the only outstanding rejection consisted of an obvious double patenting rejection which became moot on acceptance of the filed terminal disclaimer. Thus no further discussion was required. In view the timely reply the Notice of Abandonment mailed August 14, 2002, is considered to have been mailed in error and is hereby withdrawn.

Applicants' petition is **GRANTED**.

The application will be forwarded to the examiner for further consideration.

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.

John Doll
Director, Technology Center 1600